

**AN ORDINANCE  
BY COUNCIL MEMBER CATHY WOOLARD**

**00-0 -1981**

**AN ORDINANCE TO AMEND ARTICLE II SECTION 98-39 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO DELETE THE WORDS “ BASED ON RACE, RELIGION, GENDER, SEXUAL ORIENTATION, NATIONAL ORIGIN, PHYSICAL IMPAIRMENT, HIV INFECTION, OR ETHNICITY OR THE PERCEPTION THEREOF” AND TO INSERT THE FOLLOWING WORDS IN LIEU THEREOF: “ BASED UPON THE VICTIM’S, OR THE PERCEPTION OF THE VICTIM’S RACE, COLOR, CREED, RELIGION, SEX, DOMESTIC RELATIONSHIP STATUS, PARENTAL STATUS, FAMILIAL STATUS, SEXUAL ORIENTATION, NATIONAL ORIGIN, GENDER IDENTITY, AGE, HIV/AIDS INFECTION OR DISABILITY;” TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has a rich history in the civil rights movement and is rightfully considered one of the most progressive cities in the country regarding its policies ensuring equal rights for all its citizens; and

**WHEREAS**, there has never been a comprehensive review of the City’s existing human rights ordinances, resulting in inconsistencies in coverage and definitions in various code sections.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:**

**ARTICLE II, SECTION 98-39 OF THE CODE OF ORDINANCES which currently reads as follows:**

**Sec. 98-39. Crimes manifesting evidence of prejudice.**

(a) The police chief or the chief’s designee shall acquire data on the incidence of criminal acts that manifest evidence of prejudice based on The crimes with respect to which such data shall be acquired are as follows: homicide, involuntary manslaughter, aggravated assault, simple assault, simple battery, robbery, armed robbery, aggravated battery, burglary, disorderly conduct, aggravated sodomy, rape, theft, arson, vandalism, trespass, criminal defamation, false imprisonment, terroristic threats, damage to or vandalism of property and such other crimes the police chief considers appropriate.

(b) The police chief or the chief’s designee shall establish guidelines for the collection of such data, including the necessary evidence and criteria that must be present for finding of evidence of prejudice, and establish procedures for carrying out the purposes of this section.

(c) The police chief shall provide training for police officers in identifying, responding to and reporting all criminal offenses motivated by prejudice based on race, religion, gender, sex, sexual orientation, national origin, physical impairments HIV infection or ethnicity or the perception thereof.

(d) The police chief or the chief's designee shall quarterly publish a statistical summary of data acquired under this section. A copy of the data shall be made available for public review at the office of the municipal clerk of the city and at the central branch of the county public library.  
(Ord. No. 1997-17, 4-14-97)

**Be amended by deleting the foregoing words “race, religion, gender, sexual orientation, national origin, physical impairment, HIV infection, or ethnicity or the perception thereof” and inserting the following in lieu thereof:**

Sec. 98-39. Crimes manifesting evidence of prejudice.

(a) The police chief or the chief's designee shall acquire data on the incidence of criminal acts that manifest evidence of prejudice based on **based upon the victim's, or the perception of the victim's race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, HIV/AIDS infection, or disability**. The crimes with respect to which such data shall be acquired are as follows: homicide, involuntary manslaughter, aggravated assault, simple assault, simple battery, robbery, armed robbery, aggravated battery, burglary, disorderly conduct, aggravated sodomy, rape, theft, arson, vandalism, trespass, criminal defamation, false imprisonment, terroristic threats, damage to or vandalism of property and such other crimes the police chief considers appropriate.

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